

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research
 U.S. Mail: _____ Street Address: _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk

County of: _____
 Address: _____

From:

Public Agency: Delta Stewardship Council
 Address: 980 9th Street, Suite 1500
 Sacramento, CA 95814
 Contact: Jeff Henderson
 Phone: (916) 842-9333

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2017032048

Project Title: Delta Plan Amendments

Project Applicant: Delta Stewardship Council

Project Location (include county): California - multiple counties - please see attachment

Project Description:

The Proposed Project consists of 3 amendments to the Delta Plan (DP): 1) Delta Levee Investment and Risk Reduction Strategy-Updated and new recommendations or regulations regarding strategic investment in Delta levees for the purposes of risk reduction, including repeal of interim DP policy RR P1; 2) Conveyance, Storage Systems, and the Operation of Both-Promotion of options for new and improved infrastructure relating to Delta water conveyance, storage, and the operation of both to achieve the coequal goals," this proposed amendment includes an amendment to WR R12; 3) Performance Measures-Proposed revisions to DP Appendix E performance measures. See attachment

This is to advise that the Delta Stewardship Council has approved the above
☒ Lead Agency or ☐ Responsible Agency)

described project on 04/26/2018 and has made the following determinations regarding the above
 (date)
 described project.

1. The project ☒ will ☐ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan ☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations ☒ was ☐ was not] adopted for this project.
6. Findings ☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

deltacouncil.ca.gov/delta-plan-amendments-programmatic-eir or Delta Stewardship Council office (address above)

Signature (Public Agency):  Title: Deputy Executive Officer

Date: 4/26/2018

Date Received for filing at OPR:  Sacramento Office of Planning & Research

Authority cited: Sections 21083, Public Resources Code.
 Reference Section 21000-21174, Public Resources Code.

APR 26 2018
 STATE CLEARINGHOUSE
 Revised 2011

NOTICE OF DETERMINATION (ATTACHMENT PAGE 1)

Project Description

The Delta Plan, which is a long-term management plan for the Sacramento-San Joaquin Delta (Delta) prepared pursuant to the Sacramento–San Joaquin Delta Reform Act of 2009,¹ was adopted in 2013 and was last amended in 2016. Several components of the Delta Plan require revisions due to changes in circumstances and conditions in the Delta, and prior commitments made in the Delta Plan when it was adopted in 2013. The Project consists of three amendments to the Delta Plan:

- ♦ Delta Levee Investment and Risk Reduction Strategy (DLIS) - The proposed DLIS Amendment identifies State interests in the Sacramento-San Joaquin Delta (Delta) that are vulnerable to flooding; defines principles to guide the development and refinement of potential Delta Plan policies and recommendations; and evaluates risks to State interests due to potential levee failure, all for the purposes of attempting to reduce risks to people, property, and State interests in the Delta; and to recommend priorities for State investment in levee operation, maintenance, and improvements in the Delta.
- ♦ Delta Conveyance, Storage Systems, and the Operation of Both (CSO) - The CSO Amendment promotes options for design, implementation and operation of the following to achieve the coequal goals: (i) new and improved Delta water conveyance, (ii) new and improved Delta water storage, and (iii) improved operations of both.
- ♦ Performance Measures (PM) - The proposed PM Amendment would amend Appendix E of the Delta Plan to include revised output and outcome performance measures. The proposed performance measures contain quantified or otherwise measurable targets to be used as indicators of whether the Delta Plan is meeting its objectives.

Project Location

The location of the Proposed Project is defined by the purposes and uses of the Delta Plan, which are described in the Delta Reform Act, and for the purpose of this CEQA analysis includes the area affected by the Proposed Project, which consists of the Primary Planning Area and the Extended Planning Area. The Primary Planning Area is defined as the legal boundaries of the Delta and the Suisun Marsh that are defined in Wat. Code section 85058. The Extended Planning Area is defined by the watersheds that contribute flows to the Delta (including areas within the Delta watershed upstream of the Delta, and the Trinity River watershed), and areas of California receiving water from or conveyed through the Delta (State Water Project and Central Valley Project service areas). The Primary and Extended Planning Areas are shown in Figure 1.

¹ The Delta Reform Act is Division 35 of the Water Code.

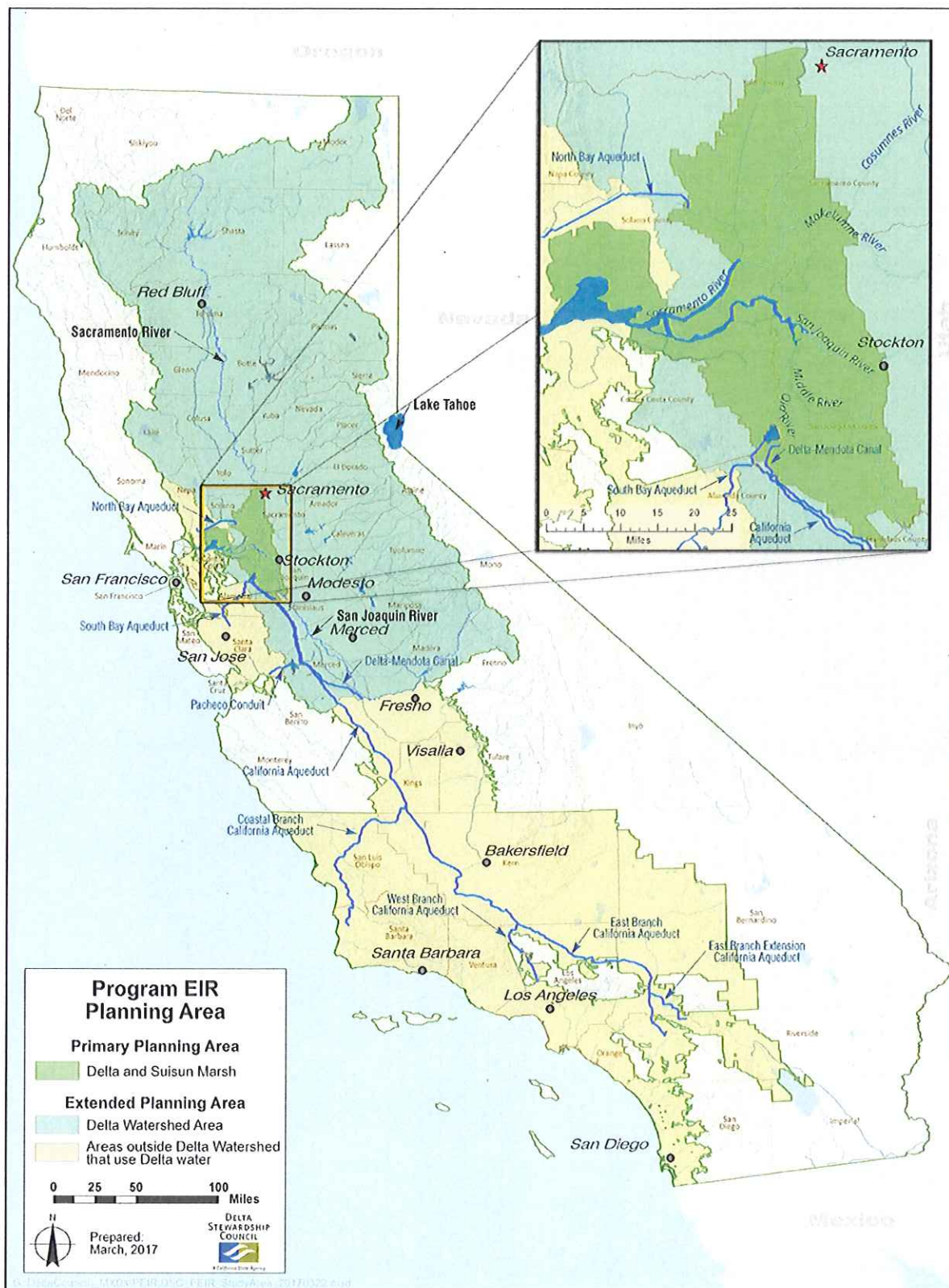


Figure 1. Planning Areas for Delta Plan Amendments PEIR

NOTICE OF DETERMINATION (ATTACHMENT PAGE 2)



State of California - Department of Fish and Wildlife

2018 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/03/18) Previously DFG 753.5a

Print

StartOver

Finalize&Email

RECEIPT NUMBER:

59 — 4/26/18 — 055

STATE CLEARINGHOUSE NUMBER (If applicable)

2017032048

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

Delta Stewardship Council

LEAD AGENCY EMAIL

DATE

4/26/18

COUNTY/STATE AGENCY OF FILING

OPR/SCH

DOCUMENT NUMBER

PROJECT TITLE

Delta Plan Amendments

PROJECT APPLICANT NAME

Jeff Henderson

PROJECT APPLICANT EMAIL

PHONE NUMBER

(916) 842-9333

PROJECT APPLICANT ADDRESS

980 9th St, Suite 1500

CITY

Sacramento

STATE

CA

ZIP CODE

95814

PROJECT APPLICANT (Check appropriate box)

☐

Local Public Agency

☐

School District

☐

Other Special District

☒

State Agency

☐

Private Entity

CHECK APPLICABLE FEES:

☒

Environmental Impact Report (EIR)

\$3,168.00

\$

3,168.00

☐

Mitigated/Negative Declaration (MND)(ND)

\$2,280.75

\$

0.00

☐

Certified Regulatory Program document (CRP)

\$1,077.00

\$

0.00

☐

Exempt from fee

☐

Notice of Exemption (attach)

☐

CDFW No Effect Determination (attach)

☐

Fee previously paid (attach previously issued cash receipt copy)

☐

Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☐

County documentary handling fee

\$

☐

Other

\$

PAYMENT METHOD:

☐

Cash

☐

Credit

☒

Check

☐

Other

TOTAL RECEIVED

\$

3,168.00

SIGNATURE

Charissa
X MartinezDigitally signed by Charissa
Martinez
Date: 2018.04.26 15:23:36
-07'00'

AGENCY OF FILING PRINTED NAME AND TITLE

Charissa Martinez, CEQA Tech



State of California - Department of Fish and Wildlife

2018 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/03/18) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
1416 9th Street, 12th Floor, Suite 1215
Sacramento, California 95814